IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPLICATION NO.133 OF 2007
IN
CRIMINAL APPLICATION NO.3138 OF 2005
IN
CRIMINAL APPLICATION NO.3137 OF 2005

The State of Maharashtra .....Applicant.
Vs.
Bharat Namdeo Dighe & 3 Ors. .....Respondents.

Ms.M.H.Mhatre, APP for the Applicant/State.

CORAM : J.H.BHATIA, J.
DATE : JUNE 25, 2007.

P.C.

1. Heard Ms.Mhatre the learned APP for the State.

2. This is an application for restoration of Criminal Application No.3138 of 2005, which was filed for condonation of delay alongwith Criminal Application No.3137 of 2005 seeking leave to file appeal against the acquittal. The record reveals that the Criminal Application No.3138 of 2005 was dismissed for non prosecution on account of non-compliance of the order dated 7th December, 2005. However, the application was restored to the file by order dated 20th October, 2006 with the direction to give notice of the fixed date to the respondents and to file affidavit. That order was not complied and the application came to be dismissed second time on 21st December, 2006. I find no valid reasons for non-compliance of the earlier directions.

Therefore, there is no substance and this application stands dismissed.

[J.H.BHATIA, J.]